

Article - Criminal Law

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§5–301.

(a) (1) Except as otherwise provided in this section, a person shall be registered by the Department before the person manufactures, distributes, or dispenses a controlled dangerous substance in the State or transports a controlled dangerous substance into the State.

(2) The Department shall adopt regulations to carry out this subsection.

(b) An applicant must register separately each principal place of business or professional practice where the applicant manufactures, distributes, or dispenses a controlled dangerous substance.

(c) (1) An authorized provider applying for a registration to dispense a controlled dangerous substance under this section and who will prescribe or dispense controlled dangerous substances under that registration shall attest on the registration form to the Department that the authorized provider has completed 2 hours of continuing education.

(2) An authorized provider shall make the attestation required under paragraph (1) of this subsection:

(i) before the authorized provider's initial registration; or

(ii) if the authorized provider is registered before October 1, 2018, before the first renewal of the authorized provider's registration that occurs on or after October 1, 2018.

(3) The continuing education required under paragraph (1) of this subsection shall be:

(i) related to the prescribing or dispensing of controlled dangerous substances; and

(ii) recognized by the authorized provider's licensing or certification board or accredited by the Accreditation Council for Continuing Medical Education.

(d) To the extent authorized by the registration and subject to subsection (b) of this section and this subtitle, a person registered by the Department under this subtitle may:

(1) possess, manufacture, distribute, or dispense controlled dangerous substances; and

(2) perform any activity listed in item (1) of this subsection to conduct research.

(e) A person need not register with the Department to possess a controlled dangerous substance while acting in the course of the person's business or profession if the person is:

(1) an agent or agent's employee of a registered manufacturer, distributor, or dispenser of a controlled dangerous substance;

(2) a common or contract carrier or warehouseman, or an employee of a common or contract carrier or warehouseman; or

(3) an ultimate user or person in possession of a controlled dangerous substance acting in good faith in accordance with a lawful order of an authorized provider.

(f) If the Department finds that a waiver is consistent with public health and safety, by regulation, the Department may waive the registration requirement for a manufacturer, distributor, or dispenser.

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